

Specifically, addressing the Examiner's remaining rejections, claims 3, 12, 14 and 18-21 are rejected for allegedly being indefinite. Particularly, the "y", "z" and "w" values recited in claims 3, 12 and 14 are considered allegedly broader than the corresponding values of claim 1 from which they depend. Claims 3, 12 and 14 have, therefore, been amended to recite the "y, y' ", "z, z' " and "w, w' " values of claims 4, 13 and 15, respectively. Further, the Examiner notes that claims 20-21 depend from cancelled claims 2 and 17 and claims 18-19 depend from cancelled claim 17. These claims have also been amended to depend from claim 1 and 16, respectively. As a result, claims 1, 3, 5-12, 14 and 18-20 should now be considered in a condition for allowance.

Claim 21 was also again rejected for reciting "perovskite-like". The Examiner contends that "-like" could be deleted to overcome this rejection. Initially, it should be noted that claim 21 is in independent form. Therefore, the Examiner's objection to its dependency is improper.


Further, the Examiner contends that the term "perovskite-like" can be applied to $(\text{La}_{2-x}\text{Ba}_x)\text{CuO}$, but not to those having rare earth:Ba:Cu ratio of 1:2:3. Applicant respectfully traverses this conclusion. Specifically, it should be noted that the superconducting material of the present invention does not have a complete superconducting structure, in that the structure has oxygen vacant positions, as described in the specification on page 6, second paragraph.

In addition, attached hereto is an article written by Yoshida from the Japanese Journal of Applied Physics, Vol. 27, No. 7, July, 1988, pp. L1248-50. The article discusses what appears to be similar to the claimed superconducting material. Specifically, the article describes the structure of the superconducting material as a "distorted perovskite structure." In

view thereof, Applicant believes that the use of "perovskite-like" to describe the structure of the claimed superconducting material is appropriate and the rejection thereon should be reconsidered and withdrawn.

In view of the foregoing, it is respectfully requested that the rejections of record be reconsidered and withdrawn by the Examiner, that claims 1, 3, 5-12, 14-16 and 18-21 be allowed and that the application be passed to issue. If the Examiner believes a conference would be of benefit in expediting the prosecution of the instant application, he is hereby invited to telephone counsel to arrange such a conference.

Respectfully submitted,


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